

AG Contract No. KR99 2710TRN
ADOT ECS File No. JPA 99-191
Project: SR 64 Access Control Study
Section: I-40 to Grand Canyon N.P.
TRACS #P 0300 05P

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
COCONINO COUNTY, ARIZONA**

THIS AGREEMENT is entered into 2 MAY, 2000,
pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the
STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State")
and COCONINO COUNTY, ARIZONA, acting by and through its BOARD OF SUPERVISORS (the
"County").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 and 28-334 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The County is empowered by Arizona Revised Statutes Section 11-251 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the County.

3. The State and the County desire to jointly participate in selecting a consultant to conduct an Access Control Study of State Route 64 from I-40 to the Grand Canyon National Park. The study objectives are: (1) to assess existing travel and facility characteristics of the corridor, (2) to analyze future travel conditions in the corridor and identify and ultimate facility configuration to meet future travel demand, and (3) to describe methods for implementing access control on State Route 64 and procedures for maintaining access management, hereinafter referred to as the Project, at an estimated cost of \$165,000.00.

THEREFORE, in consideration of the mutual covenants expressed herein, it is agreed as follows:

NO. 23963
Filed with the Secretary of State
Date Filed: 05/02/00

[Signature]
Dicky D. Hornewald

II. SCOPE OF WORK

1. The State will:

a. By change order to an existing State engineering consultant contract, the State will select and hire a professional transportation planning consultant to accomplish the study generally in accordance with the objectives stated in I.3 above. Be the lead agency for the Project. Strictly comply with all state and federal procurement laws, rules and procedures.

b. Provide the County timely copies of reports and submittals, and insure the incorporation of County review comments as appropriate. Provide the County a copy of the final report, and obtain the County's approval prior to making final payment to the consultant. Accept the final report on behalf of the parties hereto.

c. Be responsible for all Project costs over and above the County share of \$1,000.00, in an amount currently estimated at \$164,000.00, and for any consultant claims for extra compensation attributable to the State.

d. Invoice the County in an amount not to exceed \$1,000.00, for the County's share of the Project.

2. The County will:

a. Review the reports and submittals and provide comments to the State as appropriate. Review and approve the final report prior to the final payment to the consultant.

b. Provide staff assistance for the public and governmental participation process associated with the study, and make available data possessed by the County in the area of the SR-64 corridor for use in the study.

c. Contribute a maximum of \$1,000.00 to the Project. Be responsible for any consultant claims for extra compensation attributable to the County.

d. Reimburse the State within 30 days after receipt of invoices, in a total amount not to exceed \$1,000.00.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project and reimbursements; provided, however, that this agreement may be cancelled at any time prior to the award of a consultant contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

Coconino County
Public Works Director
5600 E. Commerce
Flagstaff, AZ 86001


7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

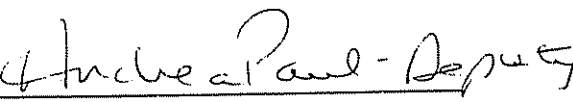
COCONINO COUNTY, ARIZONA

STATE OF ARIZONA
Department of Transportation

By 
ELIZABETH C. ARCHULETA, Chair
Board of Supervisors

By 
MARY LYNN TISCHER, Director
Transportation Planning

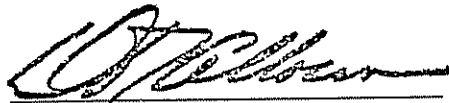
ATTEST

By 
STEVE PERU
Clerk of the Board

RESOLUTION

BE IT RESOLVED on this 19th day of December 1999, that I, the undersigned MARY E. PETERS, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with Coconino County for the purpose of defining responsibilities for conducting an access control study on SR-64.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Director of Transportation Planning for approval and execution.

A handwritten signature in dark ink, appearing to read 'D. Allocco', is written over a horizontal line.

DAVID R. ALLOCCO, P.E.
Assistant State Engineer
Engineering Technical Group
for Mary E. Peters, Director

OFFICE OF THE BOARD OF SUPERVISORS
COCONINO COUNTY, FLAGSTAFF, ARIZONA
MONDAY, MARCH 6, 2000

The Board of Supervisors met in regular session at 10:00 a.m. in the Board of Supervisors Meeting Room, First Floor, Administrative Center, 219 E. Cherry Avenue, Flagstaff, Arizona.

PRESENT: Paul J. Babbitt, Jr., Vice-Chairman, Thomas E. Chabin, Matthew G. Ryan, Members; Dora Harrison, County Manager; Andrea Paul, Deputy Clerk of the Board; Richard Vihel, Deputy County Attorney. Record will reflect the absence of Supervisors Elizabeth C. Archuleta and Louise Yellowman, and the absence of Steven B. Peru, Clerk of the Board/Deputy County Manager and Anna Whorton, Chief Deputy Clerk of the Board.

CALL TO ORDER: the meeting was called to order at 10:01 a.m.

PLEDGE OF ALLEGIANCE: was led by Vice-Chairman Babbitt.

NEW EMPLOYEE RECOGNITION: Vice-Chairman Babbitt acknowledged new County employees who were present in the audience.

PUBLIC PARTICIPATION: none.

CONSENT AGENDA: Vice-Chairman Babbitt stated items #9, 10 and 12 would be moved from the Consent Agenda for further consideration. Upon motion made by Supervisor Ryan, seconded by Supervisor Chabin and carried unanimously, the Board approved the Consent Agenda, excepting items 9, 10 and 12, as follows:

1. Board of Supervisors: Regular meeting minutes for February 7, 2000.
2. Warrant registers: audited, allowed and ordered paid for February 14, 2000, Warrant #90012841-90012845, Register Total \$103,993.77; February 16, 2000, Warrant #90012846-90012847, Register Total \$1,500.00; February 17, 2000, Warrant #90012850-90013139, Register Total \$282,095.76; February 18, 2000, Warrant #90013140, Register Total \$880.50; February 22, 2000, Warrant #90013143-90013278, Register Total \$115,869.26; February 24, 2000, Warrant #90013281-90013548, Register Total \$1,387,213.80; February 25, 2000, Warrant #90013549-90013551, Register Total \$1,701.90; February 28, 2000, Warrant #90013554-90013829, Register Total \$2,466,823.55. An itemized list of the above numbered claims is filed in the official record of the Coconino County Board of Supervisors' Minute Book No. 32A.
3. Community Initiatives Funding request in the amount of \$240 from District IV to assist in the costs associated with an environmental class for the community through Coconino Community College.

4. Community Initiatives Funding request in the amount of \$2,500 from District V to assist in costs associated with the Tuba City/Moenkopi Little League.
5. Special event liquor license for the Sunrise Lions Club fundraiser for the Lions Sight and Hearing Bank on May 12, 2000 (5:00 p.m. to 11:00 p.m.), May 13, 2000 (11:00 a.m. to 11:00 p.m.) and May 14, 2000 (12:00 p.m. to 7:00 p.m.) at the Equestrian Events Arena, 11705 North Highway 89.
6. Career Center: Amendment #1 to Contract E5700025 to increase funds from \$767,587 to \$788,811 for the purpose of increasing departmental performance and support transition activities.
7. County Manager: Amendment #1 to the contract between the County and Durrant Architects.
8. Community Services: RFQ to Senior Services, Inc., in the amount of \$12,364 to complete a senior population needs assessment in Flagstaff and the surrounding areas.
9. SEPARATED
10. SEPARATED
11. GIS Department: FY 2000 budget adjustment-transfer of salary funds from the Assessor and Public Works Department to incorporate personnel from the two departments into the GIS Department.
12. SEPARATED
13. Public Works: Bid 2000-03 to C.W. Carter (Category 1, 4), Napa Auto Parts (Category 2, 3, 6, 8, 9 and secondary supplier for the Flagstaff area), Coconino Auto (Category 5, 7) and Williams Auto Supply (secondary supplier for the Williams area) for various auto parts and supplies.
14. Intergovernmental agreement between the State of Arizona and Coconino Coconino for an Access Control Study through a consultant to develop an access management plan for SR 64 between the intersection of I-40 and SR 64 on the south and the Grand Canyon National Park boundary on the north.
15. Sheriff: Mutual aid agreement between the Coconino County Sheriff's Office and the Gila County Sheriff's Office.
16. Superior Court: Reappoint V.L. "Shorty" Morrow to the position of Justice of the Peace Pro Tempore for a term beginning February 22, 2000 through June 30, 2000.

ITEMS SEPARATED FROM CONSENT AGENDA:

9. Elections/Recorder: Approve Canvass of Presidential Preference Election held February 22, 2000.

Upon motion made by Supervisor Chabin, seconded by Supervisor Ryan and carried unanimously, the Board approved the Canvass of Presidential Preference Election held February 22, 2000.

10. Facilities Management: Approval of the following Change Orders for the Joint Sheriff/Police Facility per the Intergovernmental Agreement (IGA):

- Field Change Order #20 - Installation of five additional telecommunication conduits between the joint Facility and the Jail at a cost of \$18,380.
- Field Change Order #29 - Grant the General Contractor a 28 day non-compensable extension to the contract completion time due to a delay in the brick delivery.

Tom Bielecki, Facilities Project Manager, said these are two outstanding change orders that need to be approved by the Board. The conduits needed to be repositioned to assist the City of Flagstaff with their 911 relay system. The installation of these conduits took a great deal of time due to the amount of rock removal necessary to run the line from the main road back to the jail facility. The delay in brick delivery occurred early in the project. This approval is required as a condition of the IGA. The Flagstaff City Council has already approved these change orders.

Supervisor Chabin said he is concerned that the faulty placement of the conduits is a design flaw and should be fixed by the architects. Mr. Bielecki said that since wrong size conduits were initially installed by the Jail District, the change could not be easily made. This issue will be brought up during a meeting with the architects to discuss other design deficiencies. The new Juvenile Detention Center will also need to be connected to the Sheriff's Building as the Sheriff's Building will serve as the telephone switch to the Jail, the Sheriff's Building and the Juvenile Detention Center.

Upon motion made by Supervisor Chabin, seconded by Supervisor Ryan and carried unanimously, the Board approved the following Change Orders for the Joint Sheriff/Police Facility per the IGA: (A) Field Change Order #20 - Installation of five additional telecommunication conduits between the joint Facility and the Jail at a cost of \$18,380 and (B) Field Change Order #29 - Grant the General Contractor a 28 day non-compensable extension to the contract completion time due to a delay in the brick delivery.

12. Planning/Budget: RFP 2000-103 to DMG Maximus, Inc. to complete a County-wide cost allocation study in the amount of \$9,700.

Lee Metheny, Budget Analyst, said federal law requires that the office of Planning/Budget complete a cost allocation study based on actual per parcel data. The last study completed was on budget data. If the study is not completed, the County cannot collect costs. Upon motion made by Supervisor Ryan, seconded by Supervisor Chabin and carried unanimously, the Board approved RFP 2000-103 to DMG Maximus, Inc. to complete a County-wide cost allocation study in the amount of \$9,700.

ACTION ITEMS:

GREATER FLAGSTAFF ECONOMIC COUNCIL (GFEC): PUBLIC HEARING and consideration of Resolution 2000-13, approving the amended Intergovernmental Agreement between Coconino County, the City of Page, the City of Williams and the Town of Fredonia to change the boundaries of the Coconino County Enterprise Zone.

Jerry Chavez, Interim Chair of GFEC, said the IGA supports a new application to the Arizona Department of Commerce to extend the boundaries of the Enterprise Zone. One rule of the zone is that 35% of a workforce needs to reside within the zone. Therefore, one more census tract is being added in the Williams area. The boundary is being adjusted in Page to allow for more industrial area.

The public hearing was opened. There being no comment, the public hearing was closed. Upon motion made by Supervisor Ryan, seconded by Supervisor Chabin and carried unanimously, the Board approved Resolution 2000-13, approving the amended Intergovernmental Agreement between Coconino County, the City of Page, the City of Williams and the Town of Fredonia to change the boundaries of the Coconino County Enterprise Zone.

BOARD OF DEPOSITS: Upon motion made by Supervisor Ryan, seconded by Supervisor Chabin and carried unanimously, the Board of Supervisors resolved as the Board of Directors for the Board of Deposits.

Extension of the servicing bank contract between Coconino County and Norwest Bank from June 30, 2000 through June 30, 2002. Connie Fry, County Treasurer, said that the affected County departments are satisfied with the service from Norwest Bank.

Upon motion made by Director Ryan, seconded by Director Chabin and carried unanimously, the Board approved the extension of the servicing bank contract between Coconino County and Norwest Bank from June 30, 2000 through June 30, 2002.

Upon motion made by Director Chabin, seconded by Director Ryan and carried unanimously, the Board resolved as the Board of Supervisors.

FACILITIES MANAGEMENT: Award RFP 2000-102 to Tallpines Environmental Company for hazardous materials assessment for the Historic Courthouse Renovation Project.

Mr. Bielecki said issues raised by Risk Management related to insurance have been resolved. The RFP covers an asbestos abatement and lead paint assessment of the Courthouse. The RFP was duly advertised and six responses were received. \$200,000 was budgeted for this project. \$46,000 has been used for abatement and survey work right after departments were moved out of the courthouse to prepare for the demolition. They will not know how much it will cost to remove the asbestos until they get the report from Tallpines stating just how much asbestos is in the building. The actual removal of the asbestos will need to be bid out.

Upon motion made by Supervisor Chabin, seconded by Supervisor Ryan and carried unanimously, the Board awarded RFP 2000-102 to Tallpines Environmental Company for hazardous materials assessment for the Historic Courthouse Renovation Project.

Declare emergency to set aside purchasing policy due to financial impact to County and approve contract for appraiser services with Integra Realty Associates and Winus Realty Analysts as part of the requirement for the issuance of Certificates of Participation (COP).

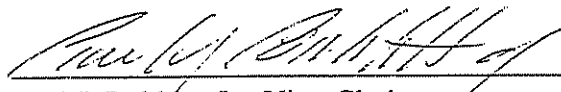
Sue Brown, Facilities Property Manager, said the COP financing needs to be completed by June 30, 2000. In order to do that, four County properties need to be appraised by May 15, 2000. The four properties in question are the entire Fort Tuthill complex, the Public Works complex, the new Juvenile Detention Facility and the new Sheriff's Administration Facility. These appraisals will be very complicated. No local firms were willing to take on the jobs. The recommended appraisers will be able to begin work this week. The appraisal of the Public Works complex is difficult due to the inclusion of the cinder mining operation at the facility.

Upon motion made by Supervisor Ryan, seconded by Supervisor Chabin and carried unanimously, the Board declared an emergency to set aside purchasing policy due to financial impact to County.

Upon motion made by Supervisor Ryan, seconded by Supervisor Chabin and carried unanimously, the Board approved contracts for appraiser services with Integra Realty Associates and Winus Realty Analysts as part of the requirement for the issuance of Certificates of Participation .

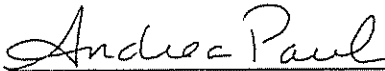
There being no further business, the meeting adjourned at 10:37 a.m.

COCONINO COUNTY BOARD OF SUPERVISORS



Paul J. Babbitt, Jr., Vice-Chairman

ATTEST:

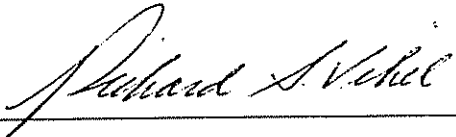


Andrea Paul, Deputy Clerk of the Board

APPROVAL OF THE COCONINO COUNTY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and COCONINO COUNTY and declare this agreement to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona.

DATED this 28th day of FEBRUARY, 2000.



DEPUTY County Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX, AZ. 85007-2926

JANET NAPOLITANO
ATTORNEY GENERAL

TRN Main: (602) 542-1680

Direct: (602) 542-8837

Fax: (602) 542-3646

MAIN PHONE : (602) 542-5025

FACSIMILE : (602) 542-4085

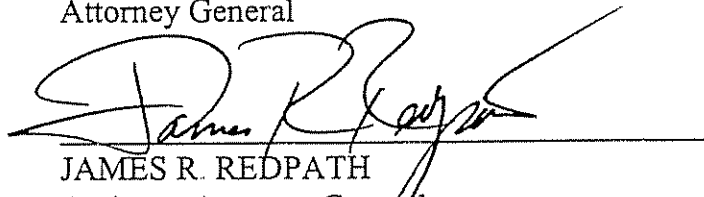
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR99-2710TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED April 24, 2000.

JANET NAPOLITANO
Attorney General



JAMES R. REDPATH
Assistant Attorney General
Transportation Section

JRR:et/623219

Enc.